

#3

# DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL U.S. PATENT APPLICATION



Attorney's Docket No. KXENP001

As below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ROBUST MODELING**, the specification of which,

(check one)

1. ☐ is attached hereto.
2. ☒ was filed on October 14, 1999 as  
U.S. Application No. 09/418,537  
and was amended on \_\_\_\_\_.
3. ☐ was filed on \_\_\_\_\_ as  
International PCT Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

Priority Benefits Claimed?

\_\_\_\_\_  
(Appl. No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐ Yes ☐ No

\_\_\_\_\_  
(Appl. No.)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Filing Date)

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

## Prior Provisional Application(s)

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior U.S. Application(s)**

_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

And I hereby appoint the law firm of Ritter, Van Pelt & Yi LLP, including Michael J. Ritter (Reg. No. 36,653); Lee Van Pelt (Reg. No. 38,352); Susan C. Yi (Reg. No. 39,883); Dan H. Lang (Reg. No. 38,531); Cindy S. Kaplan (Reg. No. 40,043); and Jung-hua Kuo (Reg. No. 41,918) as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**Please Direct all Correspondence To:**

**Customer No. 21912**

Ritter, Van Pelt & Yi LLP  
4906 El Camino Real, Suite 205  
Los Altos, CA 94022

**Direct Telephone Calls To:**

**ATTORNEY at telephone number (650) 903-####**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor: Michel Bera

Citizenship: France

Inventor's signature: 

Date of Signature: 29 Nov 99

Residence: (City) Paris

(State/Country) France

Post Office Address: 78 Rue Claude Bernard, 75005 Paris France

Full Name of Second Joint

Inventor (if any): Erik P. Marcade

Citizenship: France

Inventor's signature: 

Date of Signature: 29 Nov 99

Residence: (City) Paris

(State/Country) France

Post Office Address: 29 rue Surcouf, 75007 Paris, France

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on December 14, 1999 in an envelope as First Class Mail, addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Pat Tate



Attorney Docket No.: KXENP001

First Named Inventor:

BERA, Michel, et al

Application No. 09/418,537

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

☐ Duplicate for  
fee processing

Sir: This is a Response to Notice to File Missing Parts in a patent application in the name of inventors:

**MICHEL BERA  
ERIK P. MARCADE**

For: **ROBUST MODELLING**

**Application Elements:**



Declaration



Newly executed (original or copy)



Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional).

The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.



Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

**Accompanying Application Parts:**



Information Disclosure Statement with Form PTO-1449



Copies of IDS Citations



Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)



Return Receipt Postcard



Verified Statement Claiming Small Entity Status filed in prior application. Status still proper and desired.



Other:

Amendments

☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (*At least one original independent claim must be retained.*)

Fee Calculation (37 CFR § 1.16)

	(Col. 1)	(Col. 2)	<u>SMALL ENTITY</u>	<u>OR</u>	<u>LARGE ENTITY</u>
	<u>NO. FILED</u>	<u>NO. EXTRA</u>	<u>RATE</u>		<u>RATE</u>
BASIC FEE			\$380		\$760
TOTAL CLAIMS	_____	-20 = _____	x9 = \$	OR	x18 = \$
INDEP CLAIMS	_____	-03 = _____	x39 = \$	OR	x78 = \$
[ ] Multiple Dependent Claim Presented			\$130 = \$	OR	\$260 = \$
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			Total \$	OR	Total \$

☐ Applicants petition for a two (2) month extension of time to respond under 37 CFR § 1.136(a).

☒ Check No. \_\_\_\_\_ in the amount of \$968.00 is enclosed.

General Authorizations

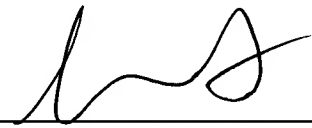
☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for this or any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-0685 (Order No. KXENP001).

☒ The Commissioner is given general authorization to charge any fees or to credit any overpayment during the pendency of this application to Deposit Account No. 50-0685 (Order No. KXENP001).

☒ Please send correspondence to the following address:

**Customer No. 21912**  
RITTER, VAN PELT & YI LLP  
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Los Altos, CA 94022

Date: 12-11-99

  
\_\_\_\_\_  
**Lee Van Pelt**  
Reg. No. 38,352